



Jeremiah W. (Jay) Nixon, Governor • Sara Parker Pauley, Director

DEPARTMENT OF NATURAL RESOURCES

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April 29, 2014

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SUPERFUND DIVISION

Mr. Jason Gunter
Remedial Project Manager
U.S Environmental Protection Agency
Region 7 – Superfund Branch
11201 Renner Blvd.
Lenexa, KS 66219

Dear Mr. Gunter:

The Missouri Department of Natural Resources' Hazardous Waste Program (HWP), Superfund Section has reviewed the "Post Removal Site Control Plan for the Eastern Portion of the Bonne Terre Superfund Site in St. Francois County, Missouri" dated March, 2014. The following comments are provided for your consideration.

1. Page 5, Section 2.5, Paragraph 2, Post-Construction Monitoring: "Based on the sample results that have been submitted to EPA as part of the quarterly progress reports, Doe Run is ceasing these activities upon the approval of this PRSCP". Page 6, Removal Action Work Plan for the Eastern Portion of the Bonne Terre Mine Tailings Site, Section 3.5, Storm Water Requirements (10 CSR 20-6 .200) states that "the substantive requirements of the State of Missouri storm water program will be complied with at the Bonne Terre site as long as runoff from the site comes into contact with the tailings or chat". According to the ARAR requirements mentioned herein, Doe Run is required by state regulations to conduct storm water sampling due to the fact that mine waste was left in place and capped and water sample values are currently still exceeding the State Water Quality Standard and/or the Maximum Contaminant Level (MCL) for lead. Due to these reasons, the Missouri Department of Natural Resources (Department) does not approve of Doe Run ceasing their efforts on quarterly storm water sampling.
2. Pursuant to the Administrative Order On Consent (AOC) For The Removal Action for the Eastern Portion of the Bonne Terre Superfund Site, Docket No. CERCLA-7-2000-0025, on page 24 under the heading Removal Action Report: the Respondent is required to submit a Removal Action Report within 45 days after completion of construction of the removal action in accordance with the approved work plan. Respondent shall submit for EPA review and approval a Removal Action Report, prepared in accordance with



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requirements of this Consent Order and the SOW. The Department received the Removal Action Report within the allowable 45 days set forth in the AOC from the Owners/Respondent. The Department received the Post Removal Site Control Plan on March 11, 2014 but it was not within the allowable time frame of 45 days.

3. Page 8, Section 4.1, Regraded Areas: "Items evaluated during the inspection will include, but not limited to, the following: Area where mine waste is exposed". If areas on site have areas of visible exposed mine waste, then this raises the issue of mine waste coming into contact with water and running off site. Again referring back to the ARAR Storm water requirement (10 CSR 20-6.200), states "the substantive requirements of the State of Missouri storm water program will be complied with at the Bonne Terre site as long as runoff from the site comes into contact with the tailings or chat". If these areas where mine waste is exposed are being evaluated in these inspections, then runoff from mine waste has to be an issue for the Bonne Terre site. This again, is one more reason why the Department feels that Doe Run needs to continue quarterly storm water sampling and continue to submit the results within the progress reports.
4. Appendix C-J, Environmental Protection Declaration of Restrictive Covenants: The Department suggests changing these Declaration Restrictive Covenants to a current MOECA Environmental Covenant.
5. In regards to the Eastern portion of the Bonne Terre Mine Tailings Site, this portion of the site is currently being used as a soil repository. This information regarding the site usage as a repository needs to be included within this Post Removal Site Control Plan. In addition, does this soil repository need a Removal Action Permit (RAP)?

Thank you for the opportunity to review and comment on the aforementioned document. If you have any further questions regarding this letter, please do not hesitate to contact me at the Missouri Department of Natural Resources, Hazardous Waste Program, P.O. Box 176, Jefferson City, MO 65101-0176, by telephone at (573) 526-4208, or by email at brandon.wiles@dnr.mo.gov

Sincerely,

HAZARDOUS WASTE PROGRAM



Brandon Wiles
Project Manager
Superfund Section

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